UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,621	06/07/2000	Sara Ruhina Biyabani	004860.P2438	8620

7590 04/04/2005		EXAMINER
Sheryl Sue Holloway		CASCHERA, ANTONIO A
Blakely Sokoloff Taylor & Zafman LLP		

ART UNIT	PAPER NUMBER
2676	

12400 Wilshire Boulevard 7th Floor
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DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Advisory Action *Before the Filing of an Appeal Brief*	09/589,621	BIYABANI, SARA RUHINA
	Examiner	Art Unit	
	Antonio A Caschera	2676	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>27 January 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *2-9,11-14,16-21 and 23-26.*

   Claim(s) withdrawn from consideration: *1,10,15 and 22.*

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.

13. ☒ Other: <u>See Continuation Sheet.</u>
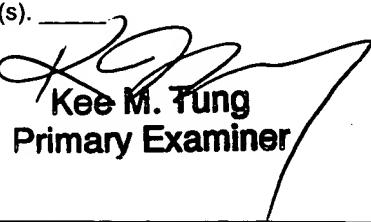
Kee M. Tung
Primary Examiner

Continuation of 11: The applicant argues that Rao does not teach or suggest a sole memory controller that maps refresh memory onto a physical memory device separate from main memory (see page 9, last paragraph of applicant's Remarks). This limitation is recited in Rao where Rao discloses a core logic unit that exchanges data, addresses and instructions between a CPU, display controller and the unified memory (see pages 11-12, lines 33-2). Further, applicant argues that Rao does not teach mapping part of the color buffer onto a physical memory device separate from the main memory. The office points to Rao, page 15, lines 26-28 and page 16, lines 11-30, wherein Rao discloses the frame buffer and system memories configured in multiple banks of memory, the memory constructed as either a monolithic chip or as a multiple chip device (also see #201 of Figure 2). Rao further discloses that two banks of memory #201a and #201b represent the frame buffer portions of memory, which, as disclosed above, is divided into first and second blocks (see page 16, lines 11-15 and #201a,b of Figure 2). The remaining banks of memory are used for system memory, as disclosed by Rao (see page 16, lines 11-15). Rao further discloses that each of the banks are separate DRAM devices (see page 16, lines 19-20) therefore, the office interprets that Rao does in fact teach mapping part of the frame buffer onto a physical memory device separate from system memory since each of the banks of memory are separate physical devices. The applicant further argues that it would not have been obvious for Rao to implement physically separate memory devices because Rao discloses this to be inefficient (see page 9, last 2 lines of applicant's Remarks). The office strongly disagrees because, as seen above Rao discloses the memory configuration as a multiple chip device setup (see page 15, lines 26-28 and Figure 2 of Rao). Further, the applicant argues that the Akeley reference does not teach or suggest how the buffers are mapped onto physical or graphics memories (see page 10, paragraph 3 of Applicant's Remarks). The Akeley reference has been included in the rejection of the claims in order to disclose the copying of data from buffer portions and discloses how data is mapped to buffer memories using timing diagrams (see Figure 10A, 10B and column 4, lines 11-13 of Akeley). The combination of the Rao and Akeley references disclose all of the limitations as described above and therefore, the office interprets that a *prima facie* case of obviousness has been properly made.

Continuation of 13. Other: In view of the above Response to Applicant's Remarks, the remaining claims would be rejected as previously explained in the Final Rejection dated, 11/22/04. .